

Mail Stop Interference  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Tel: 571-272-9797  
Fax: 571-273-0042

Paper 1

Filed January 9, 2007

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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WILLIAM A. **BERTHIAUME** and NAREAK DOUK  
Junior Party  
(Patent 6,110,146),

v.

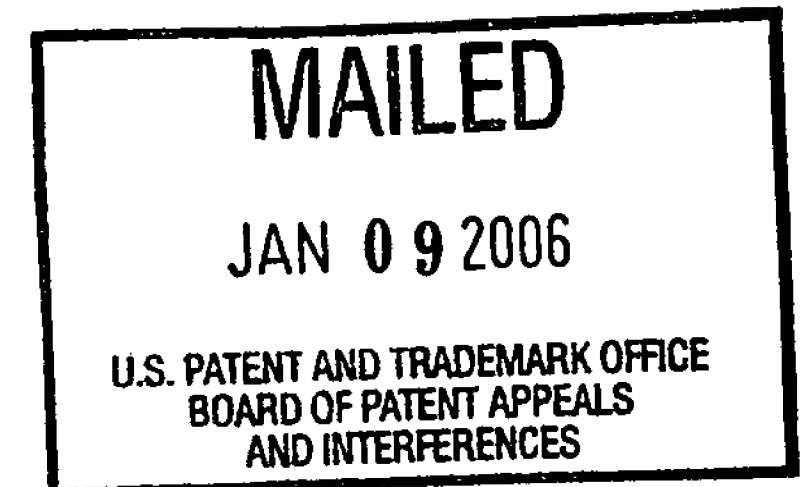
THOMAS J. **HOLMAN**, LOUIS G. ELLIS,  
GREGORY K. OLSON, LINDA R. LORENTZEN CORNELIUS  
RICHARD J. TRAXLER and SCOTT M. HANSON  
Senior Party  
(Application 09/737,118).

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Patent Interference No. 105,519 (SCM)  
(Technology Center 3700)

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**DECLARATION - Bd.R. 203(b)<sup>1</sup>**



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2       **Part A. Declaration of interference**  
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4       An interference is declared (35 U.S.C. 135(a)) between the above-identified parties.  
5       Details of the application(s), patent (if any), reissue application (if any), count(s) and claims  
6       designated as corresponding or as not corresponding to the count(s) appear in Parts E and F of  
      this DECLARATION.

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<sup>1</sup> "Bd.R. x" may be used as shorthand for "37 C.F.R. § 41.x". 69 Fed. Reg. 49960, 49961 (12 Aug. 2004).

1           **Part B. Judge managing the interference**

2           Administrative Patent Judge Sally Medley has been designated to manage the  
3 interference. Bd. R. 104(a).

4           **Part C. Standing order**

5           A Trial Section STANDING ORDER [SO] (Paper 2) accompanies this DECLARATION.  
6 The STANDING ORDER applies to this interference.

7           **Part D. Initial conference call**

8           A telephone conference call to discuss the interference is set for **2:00 p.m. on 6 March**  
9 **2007** (the Board will initiate the call).

10          No later than **four business days** prior to the conference call, each party shall file and  
11 serve (SO §§ 10.1 & 105) a list of the motions (Bd. R. 120; Bd. R. 204; SO §§ 104.2.1, 120  
12 §204) the party intends to file.

13          A sample schedule for taking action during the motion phase appears as Form 2 in the  
14 STANDING ORDER. Counsel are encouraged to discuss the schedule prior to the conference  
15 call and to agree on dates for taking action. A typical motion period lasts approximately eight  
16 (8) months. Counsel should be prepared to justify any request for a shorter or longer period.

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Application 09/034,434, filed 4 March 1998, now patent 6,152,944, granted 28 November 2000

Application 08/812,351, filed 5 March 1997, now patent 5,893,868, granted 13 April 1999

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**/Sally C. Medley/  
Administrative Patent Judge**

Enc:

Copy of STANDING ORDER  
Copy of PTO-850 form  
Copy U.S. Patent 6,110,146  
Copy of claims of 09/737,118

Revised 3 January 2006  
cc (via overnight delivery):

Attorney for **Berthiaume**:

Richard L. Klein  
Medtronic Vascular, Inc.  
IP Legal Department  
2576 Unocal Place  
Santa Rosa, CA 95403

Attorney for **Holman**:

Timothy A. French  
Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110

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# UNITED STATES PATENT AND TRADEMARK OFFICE

DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS AND INTERFERENCES  
BOX INTERFERENCE, WASHINGTON, D.C. 20231

Filed by: Sally C. Medley  
Telephone: (571) 272-9797  
Facsimile: (571) 273-0042

Applicants:

THOMAS J. **HOLMAN**, LOUIS G. ELLIS,  
GREGORY K. OLSON, LINDA R. LORENTZEN  
CORNELIUS, RICHARD J. TRAXLER and SCOTT  
M. HANSON

Assignee: Boston Scientific Scimed, Inc.

Serial No. 09/737,118

Filed: 12/14/00

For: Catheter with removable balloon  
protector and stent delivery system  
with removable stent protector

The above-identified application or patent has been forwarded to the Board of Patent Appeals and Interferences because it is adjudged to interfere with another application or patent. An interference has been declared. The interference is designated as No. 105,519.

Notice is hereby given the parties of the requirement of the law for filing in the Patent and Trademark Office a copy of any agreement "in connection with or in contemplation of the termination of the interference." 35 U.S.C. § 135(c).

/Sally C. Medley/  
Sally C. Medley  
Administrative Patent Judge

**INTERFERENCE DIGEST**

Interference No. 105,519

Name:  
THOMAS J. **HOLMAN**, LOUIS G. ELLIS,  
GREGORY K. OLSON, LINDA R. LORENTZEN CORNELIUS  
RICHARD J. TRAXLER and SCOTT M. HANSON

Patent No.:09/737,118

Title: Catheter with removable balloon protector and stent delivery system with removable stent protector

Filed: 12/14/00

Interference with **BERTHIAUME** et al.

**DECISION ON MOTIONS**

Administrative Patent Judge, \_\_\_\_\_ Dated, \_\_\_\_\_

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**FINAL DECISION**

Board of Patent Appeals and Interferences, \_\_\_\_\_ Dated, \_\_\_\_\_

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Court, \_\_\_\_\_ Dated, \_\_\_\_\_

**REMARKS**

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**This should be placed in each application or patent involved in interference in addition to the interference letters.**





# UNITED STATES PATENT AND TRADEMARK OFFICE

DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS AND INTERFERENCES  
BOX INTERFERENCE, WASHINGTON, D.C. 20231

Filed by: Sally C. Medley  
Telephone: (571) 272-9797  
Facsimile: (571) 273-0042

Applicants:  
WILLIAM A. BERTHIAUME, and  
NAREAK DOUK  
Assignee  
Medtronic AVE, Inc.  
Patent No. 06,110,146  
Granted: 8/29/00  
For: Protector for catheter balloon  
with guidewire backloading system

The above-identified application or patent has been forwarded to the Board of Patent Appeals and Interferences because it is adjudged to interfere with another application or patent. An interference has been declared. The interference is designated as No. 105,519.

Notice is hereby given the parties of the requirement of the law for filing in the Patent and Trademark Office a copy of any agreement "in connection with or in contemplation of the termination of the interference." 35 U.S.C. § 135(c).

/Sally C. Medley/  
Sally C. Medley  
Administrative Patent Judge

**INTERFERENCE DIGEST**

Interference No. 105,519

Name: WILLIAM V. **BERTHIAUME** and NAREAK DOUK

Patent No.: 6, 110,146

Title: Protector for catheter balloon with guidewire backloading system

Granted: 8/29/00

Interference with **HOLMAN**, et al

**DECISION ON MOTIONS**

Administrative Patent Judge,\_\_\_\_\_Dated,\_\_\_\_\_

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**FINAL DECISION**

Board of Patent Appeals and Interferences,\_\_\_\_\_Dated,\_\_\_\_\_

Court,\_\_\_\_\_Dated,\_\_\_\_\_

**REMARKS**

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**This should be placed in each application or patent involved in interference in addition to the interference letters.**